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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,507	12/27/2000	Zijie Wang		9479

7590 07/31/2003
Wei Te (Joseph) Chung
Foxconn International, Inc.
1650 Memorex Drive
Santa Clara, CA 95050

EXAMINER

PAN, YUWEN

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 07/31/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/752,507

Applicant(s)

WANG, ZIJIE

Examiner

Yuwen Pan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan, filed on 11/21/00. It is noted, however, that applicant has not filed a certified copy of the 09752507 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Holshouser et al (US006151486A).

With respect to claim 1, Holshouser discloses an electronic device which has a housing and a cover moveable between a closed position and an open position with respect to the housing, an unfolding apparatus for automatically opening the over with respect to the housing, the unfolding apparatus (see column 1 and lines 53-60) comprising:

A first means for creating a first magnetic field, the first means being adapted to be provided in the housing of the electric device (see column 1 and line 61-column 2 and line 11);

A second means for creating a second magnetic field, the second means being adapted to be provided in the cover of the electronic device and be opposite to the first magnetic field when the cover is in the closed position (see column 2 and lines 12-23); and

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A controller for controlling at least one of the first and second means, the controller being adapted to be provided in at least one of the housing and the cover (see column 2 and lines 60-67);

Whereby the first and second magnetic fields interact to move the cover from the closed position to the open position (see column 1 and line 61-column 2 and line 11).

With respect to claim 6, Holshouser discloses a portable communication device (see figure 6) comprising:

A housing having a keypad (see figure 4);

A cover attached to the housing by a hinge, the cover being moveable between a closed position and an opened position with respect to the housing (see column 1 and line 61-column 2 and line 11);

A first means for creating a first magnetic field, the first means being adapted to be provided in the housing of the electric device (see column 1 and line 61-column 2 and line 11);

A second means for creating a second magnetic field, the second means being adapted to be provided in the cover of the electronic device and be opposite to the first magnetic field when the cover is in the closed position (see column 2 and lines 12-23).

A controller having a pair of first moveable and first stationary contacts respectively and a pair of second moveable and second stationary contacts respectively, the pair of first thereby controlling at least one of the first and second means, the pair of second contacts controlling answering of incoming messages of the device, the controller being provided in at least on of the housing and the cover (see figure 5, column 2 and lines 60-67, column 3 and lines 1-20).

With respect to claims 2,7, Holshouser further discloses when the cover is in the closed position, the controller enables one of the first and second means to create the corresponding first or second magnetic field, such that the created first or second magnetic field repels the second or first magnetic field of the corresponding second or first means (see column 2 and lines 12-67).

With respect to claims 3,8, Holshouser further discloses the first means for creating the first magnetic field comprises an electromagnetic coil (see figure 5).

With respect to claims 4,9, Holshouser further discloses the second means for creating the second magnetic field comprises a magnet (see figure 6 and item 60b).

With respect to claims 5,10, Holshouser further discloses the controller comprises a movable contact and a stationary contact, and the movable contact and stationary contact are normally in an open state (see figure 5 and 6A, and items 65,61).

With respect to claim 11, Holshouser discloses an electronic device (see figure 6) comprising:

A housing having a keypad (see figure 4);

A cover attached to the housing by a hinge, the cover being moveable between a closed position and an opened position with respect to the housing (see column 1 and line 61-column 2 and line 11);

A first means for creating a first magnetic field, the first means being adapted to be provided in the housing of the electric device (see column 1 and line 61-column 2 and line 11);

A second means for creating a second magnetic field, the second means being adapted to be provided in the cover of the electronic device and be opposite to the first magnetic field when the cover is in the closed position (see column 2 and lines 12-23).

A controller for creating at least one of the first and second magnetic fields the thereby control magnetic force between the first and second magnetic, the controller being provided in at least on of the housing and the cover (see figure 5, column 2 and lines 60-67, column 3 and lines 1-20).

With respect to claim 12, Holshouser further discloses when the cover is in the closed position, the controller enables one of the first and second means to create the corresponding first or second magnetic field, such that the created first or second magnetic field repels the second or first magnetic field of the corresponding second or first means (see column 2 and lines 12-67).

With respect to claim 13, discloses said device is a permanent magnet (see figure 6 and item 60b), and said inducement is performed by an electro magnet (see figure 5 and item 60a).

With respect to claims 14, 15, Holshouser further discloses the controller comprises a movable contact and a stationary contact, and the movable contact and stationary contact are normally in an open state (see figure 5 and 6A, and items 65,61).

With respect to claim 16, Holshouser discloses a cellular phone comprising:

A housing and a cover rotatably attached to the housing and activated, directly or indirectly, by a button (see figure 5), said controller activating circuits to create inducement (see column 2 and lines 23-37);

A device mounted on the cover actuated by said inducement to rotatably move the cover relative to the housing (see column 2 and lines 38-59, see figure 6 and item 60b).

With respect to claim 17 and 18, Holshouser discloses said device is a permanent magnet (see figure 6 and item 60b), and said inducement is performed by an electro magnet (see figure 5 and item 60a).

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Conclusion


4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bilotti et al (US006356741B1) discloses magnetic pole insensitive switch circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 703-305-7372. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.


Yuwen Pan
July 16, 2003


Lee Nguyen
Primary Examiner